

108TH CONGRESS  
2D SESSION

# H. R. 3707

To amend title XVIII of the Social Security Act to authorize the Secretary of Health and Human Services to negotiate fair prices for Medicare prescription drugs on behalf of Medicare beneficiaries.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 20, 2004

Mr. MOORE (for himself, Mrs. EMERSON, Mr. DAVIS of Florida, Mr. BURTON of Indiana, Mr. EMANUEL, and Mr. WAMP) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To amend title XVIII of the Social Security Act to authorize the Secretary of Health and Human Services to negotiate fair prices for Medicare prescription drugs on behalf of Medicare beneficiaries.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Medicare’s Equitable  
5       Drugs for Seniors Act of 2004”.

1 **SEC. 2. NEGOTIATING FAIR PRICES FOR MEDICARE PRE-**  
2 **SCRIPTION DRUGS ON BEHALF OF MEDICARE**  
3 **BENEFICIARIES.**

4 Section 1860D–11 of the Social Security Act, as  
5 added by section 101(a) of the Medicare Prescription  
6 Drug, Improvement, and Modernization Act of 2003, is  
7 amended by striking subsection (i) (relating to noninter-  
8 ference) and by inserting the following:

9 “(i) **AUTHORITY TO NEGOTIATE PRICES WITH MAN-**  
10 **UFACTURERS.**—In order to ensure that beneficiaries en-  
11 rolled under prescription drug plans and MA–PD plans  
12 pay the lowest possible price, the Secretary shall have au-  
13 thority similar to that of the Secretary of Veterans Affairs,  
14 Secretary of Defense, and the heads of other Federal  
15 agencies and departments that purchase prescription  
16 drugs in bulk to negotiate contracts with manufacturers  
17 of covered part D drugs, consistent with the requirements  
18 and in furtherance of the goals of providing quality care  
19 and containing costs under this part.”.

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